D.B. CRIMINAL MISC. BAIL APPLICATION NO. 848/2007
IN
D.B. CRIMINAL APPEAL NO. 204/07

Date : 01.08.2007

HON'BLE MR. BHAGWATI PRASAD, J
HON'BLE MR. MUNISHWAR NATH BHANDARI, J.

Mr. Vijay Purohit for the applicant
Mr. JPS Choudhary, P.P.
Mr. D.K. Gaur for the complainant

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Heard learned counsel for the applicant and Public Prosecutor.

The case of principal accused Kashi Khan is distinguishable from other accused persons. Similarly situated accused having already been released on bail, we are persuaded that the substantive sentence of the accused applicant Ramzan Khan be suspended.

Therefore, the substantive sentence of accused appellant Ramzan Khan S/o Khayali Khan is hereby suspended. He shall be enlarged on bail provided he furnishes a personal bond in the sum of Rs. 20,000/- (Rupees twenty thousand only) and two sureties of Rs.10,000/- (Rupees ten thousand only) each to the satisfaction of the learned Additional Sessions Judge No.2, Sriganganagar for his appearance before this Court on the conditions indicated below :-

(i) That he will appear before this Court on 12.09.2007.

(ii) That he will appear before the trial court in the months of January and June of every year till the appeal is decided.

(iii) That if the appellant changes the place of residence, he will give in writing his changed address to the trial court as well as to his

counsel in the High Court.

(iv) Similarly, if the sureties change their address(es), they will give in writing their changed address to the trial court.

The learned trial court shall keep the record of attendance of the accused-appellant in a separate file. Such file be registered as Criminal Misc. Case related to the Sessions Case in which the accused-appellant was tried and convicted. A copy of this order shall also be placed in that file for ready reference. Criminal Misc. file shall not be taken into account for statistical purpose relating to pendency and disposal of cases in the trial court. In case the said accused appellant does not appear before the trial court, the learned trial Judge shall report the matter to the High Court for cancellation of bail.

(MUNISHWAR NATH BHANDARI), J. (BHAGWATI PRASAD), J.

bjsh